should state the specific item in the Budget in respect of which the omission or reduction is proposed, and, in doing so, it would facilitate discussion and conduce to the convenience of both the official and non-official members, if the movers would indicate in a general manner the grounds on which they propose to bring forward the motion in each case.

DESTRUCTION OF RECORDS BILL.

MR. V. SUBBA AIYAR: Sir, the Destruction of Records Bill with the Statement of Objects and Reasons has been published in the Gazette, and it is, therefore, not necessary for me to obtain leave for introducing it. I, therefore, beg to move that the Bill be read in Council.

MR. R. KRISHNA PILLAI: I beg to second the motion.

MR. V. SUBBA AIYAR: The motion for introducing the Bill having been seconded, I beg to lay before the Council the main principles of the Bill.

The Destruction of Records Regulation, III of 1057, was passed more than 40 years ago, and it is therefore time that it should be revised. Under Section 3 of the existing Regulation it is enacted that the Dewan and the High Court shall submit to the Palace quarterly lists of records destroyed. It will, I believe, be within the knowledge of the members of the Council that this entails considerable labour on the clerical establishment and is absolutely unnecessary, for the list of records to be destroyed is published in the Gazette and the destruction only takes place thereafter. After the destruction, it may be enough if an annual list is sent to the Government by the officers concerned; and no quarterly list is, therefore, necessary. But the provision finding a place in the Regulation itself, it has to be obeyed, and, as I have submitted, it entails unnecessary labour. It is, therefore, proposed to delete the section and to make the necessary provision in the rules which may be framed for the purpose under the Regulation. Whether the lists should be annual or half-yearly may be left to the discretion of the Government, and the officer concerned may submit the list in accordance therewith. While amending the Regulation for this particular purpose, opportunity has been taken to see that the Regulation is also revised in other respects. Our Regulation followed the old British Indian Act of 1879 which has since been revised by an Act of 1917. That Act, though generally following the previous Act, has made some modification, I may say, in phraseology, and this is mainly due to the improved method of drafting. I may say that, under the existing Regulation, the Dewan has to frame rules for the destruction of records in the Revenue Courts and other offices, the High Court has to frame Rules with reference to itself and the courts subordinate to it, and all these rules are to be passed by Government, so that, subject to the approval of Government, these respective authorities are competent to frame rules. In the new Bill it is provided that the High Court and for the Revenue Department the Land Revenue Commissioner

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[Mr. V. Subba Aiyar.]

should frame rules with the approval of Government and that, with regard to other offices, it is open to Government to frame the rules themselves, or empower any particular officer to do so. The rules framed have to be approved by Government and the destruction of records will be regulated by the rules in force for the time being. There is one other matter worth mentioning, and, that is that, under the existing Regulation, all the records including the records of the Registration offices may be destroyed. But the Registration Regulation makes a distinct provision in Section 64 to the effect that the Gevernment may order the destruction of the records in the Registration offices. I beg to bring to the notice of the Council that a separate provision is absolutely unnecessary, as the Destruction of Records Regulation will apply to all offices, whether Registration or otherwise, and it is therefore proposed to delete that portion of the Registration Regulation, so that all the offices may be governed by the same Regulation, namely, the one that is now placed before the Council. From the Statement of Objects and Reasons and from what I have placed before the Council now, it will be clear that the Bill does not propose to lay before the Council any controversial matter and I believe it will be acceptable to the Council. I, therefore, beg to move that the Bill be read in Council.

DR. N. KUNJAN PILLAI: I beg to second the motion.

MR. G. PARAMESVARAN PILLAI: Will the learned Law Member be pleased to explain whether any principle is involved under Section 3 which is now sought to be deleted? Section 3 requires quarterly statements being submitted to the Palace. Is it going to be discontinued hereafter and, if so, on what principle?

MR. V SUBBA AIYAR: With reference to that, I may observe that Section 3 is there now and it is with the object of deleting it that the Bill has been now drafted. As I said, there is no necessity to submit to the Palace a detailed list of records to be destroyed. The principle on which Section 3 was embodied in the Regulation must have been that the Dewan was considered the Head of the Revenue Department and the High Court as the head of the Judicial Department and, therefore, these two authorities were required to submit these lists to the Palace. It is now thought that this provision is not necessary. In the first place, quarterly lists are not necessary, because, as I have already said, an annual list may be quite enough. The head of the Revenue Department is the Land Revenue Commissioner, and it will be enough if he is empowered to frame rules subject to the sanction of Government. Similarly with regard to the High Court. Both these authorities may send in their lists to Government and not to the Palace, so that the Palace records may not be burdened with these lists which are, to my mind, of very doubtful utility. Such lists may be submitted at the end of every year or other period as the Government may direct. That is why Section 3 of the Regulation has been omitted in the Bill.

PRESIDENT: I take it that the principle of the Bill has been accepted. The Secretary will now read the title of the Bill.

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The Secretary then read the title of the Bill.

MR. V. SUBBA AIYAR: Sir, the principle of the Bill having been accepted by the Council, I beg to move under Standing Order 31 (4) that this Bill be referred to a Select Committee.

MR. K. GEORGE: I beg to second the motion.

PRESIDENT: I take it that the House accepts the motion that the Bill be referred to a Select Committee. MR. Subba Aiyar will now propose the names of the members of the Select Committee.

MR. V. SUBBA AIYAR: I propose the following gentlemen to be members of the Select Committee to submit the report within one month, *viz.*, Mr. K. Anantanarayana Aiyar, Mr. M. Raja Raja Varma, Mr. T. K. Velu Pillai, Mr. G. Paramesvaran Pillai and myself.

DR. N. KUNJAN PILLAI: I beg to second the motion.

PRESIDENT: I take it that this is passed by the House, and I nominate Mr. Subba Aiyar as the Chairman of the Select Committee.

LAND ACQUISITION REGULATION AMENDMENT BILL.

MR. V. SUBBA AIYAR: Sir, the Land Acquisition Regulation Bill has also been published in the Gazette, with the permission of the Dewan and it is therefore unnecessary to apply for leave to introduce the Bill. Under Section 47 of the new Municipal Regulation the Government are empowered to acquire lands on behalf of a Municipal Council, subject, however, to the condition that the Municipal Council should pay the necessary compensation and also any incidental charges that the Government may incur. But there is no provision in the Land Acquisition Regulation that the Municipal Council may appear before a land acquisition officer and adduce the necessary evidence as to the value of the land itself. The clause now introduced enables the Council to do this and also to move the land acquisition officer to refer the matter to the District Court.

It was brought to the notice of Government at the seventeenth session of the Sri Mulam Popular Assemby by Mr. P. K. Narayana Pillai, member for Ambalapuzha taluk, that the Land Acquisition Regulation was defective in that respect and that the same should be amended, that the Land Acquisition Regulation was passed before the new Municipal Regulation and that, under the old Regulation, the Municipal Council had no power to acquire land or to pay for it. In accordance with that suggestion the present Bill has been drafted. What the present Bill provides for is that, when the land is proposed to be acquired, the Municipal authority may appear before the land acquisition officer and adduce the necessary evidence. This follows the British Indian provision on the subject. There is, however, one other matter in the British Indian Act which has not been adopted here. According to the British Indian Act, when land is acquired for Government or Municipal purposes, the Government or the Council as the case may be, will have no right to move for a reference to the District Court. The principle of this restriction seems to be that, when a land acquisition officer fixes a value, it is not open to

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